

1 The Honorable Robert S. Lasnik
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10 UNITED STATES DISTRICT COURT FOR THE
11 WESTERN DISTRICT OF WASHINGTON
12 AT SEATTLE
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15 UNITED STATES OF AMERICA,
16 Plaintiff
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18 v.
19 PAIGE A. THOMPSON,
20 Defendant.
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22 NO. CR19-159 RSL
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25 **STIPULATED MOTION FOR AN ORDER**
26 **DIRECTING THE RELEASE OF**
27 **TESTING DATA**

28 **NOTE ON MOTION CALENDAR:**
May 25, 2022

17 The parties hereby move this Court for an order directing Dr. Ken Muscatel to
18 release to the United States and to counsel for Defendant Paige A. Thompson a copy of
19 the testing data and results of the psychological tests he administered to Thompson on
20 Friday, May 13, 2022. Dr. Muscatel administered the tests in accordance with the
21 Court's March 21, 2022 order granting in part the United States' motion for a mental
22 health examination under Federal Rule of Criminal Procedure 12.2(c) (Dkt. No. 228).

23 Dr. Muscatel has arranged to transmit a copy of the testing data and results of the
24 psychological tests directly to the defense's mental health expert, Dr. Matthew
25 Goldenberg, without the need for a Court order because doing so is consistent with the
26 ethical principles and codes of conduct governing licensed psychologists. The
27 transmission of the testing data and test results from Dr. Muscatel directly to Dr.
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1 Goldenberg also satisfies the United States' discovery obligations under Federal Rule of
2 Criminal Procedure 16(a)(1)(B) and (F).

3 Out of an abundance of caution, the parties seek an order directing Dr. Muscatel to
4 also provide to the government's prosecution team and to counsel for the defendant a
5 copy of the testing data and results of the psychological tests he administered as part of
6 the Rule 12.2(c) mental health examination of the defendant. Such an order will ensure
7 that Dr. Muscatel is not violating any ethical principles or codes of conduct of

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1 his profession in so doing, and that the government and the defense may fully review the
2 results of Dr. Muscatel's mental health examination of the defendant in preparation for
3 trial.

4 DATED: May 25, 2022.

5 Respectfully submitted,
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